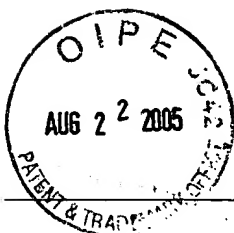


8-24-05

Mark RCE
\$ 2174
PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
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CUSTOMER NUMBER

27792

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

Application Number	09/770,337
Filing Date	January 26, 2001
First Named Inventor	Chad Magendanz et al.
Group Art Unit	2174
Examiner Name	Ke, Peng
Attorney Docket No.	MICR0247

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

☒ **1. Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
iii. ☐ Other _____

b. Enclosed

- i. ☒ Amendment/Reply
ii. ☐ Affidavit(s)/Declaration(s)
iii. ☐ Information Disclosure Statement (IDS)
iv. ☐ Other _____

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☐ **2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required)
b. ☐ Other _____

☒ **3. Request for Constructive Petition for Extension of Time**

It is requested that any concurrent or future reply submitted in the present application requiring a petition for an extension of time under 37 CFR 1.136(a)(3) for timely submission be treated as incorporating a petition for extension of time for the appropriate length of time. It is also requested that any additional required fees under § 1.17, including all required extension of time fees, be charged to Deposit Account No. 01-1940,

X 4. Claim Status

 X 5. **Fees** The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.

i. RCE fee required under 37 CFR § 1.17(e)
 ii. Extension of time fee (37 CFR §§ 1.136 and 1.17)
 iii. X Any additional required fees
 iv. Other _____

c. Payment by credit card (Form PTO-2038 enclosed)

Typed/Printed Name Sabrina K. MacIntyre Registration Number: 56,912

EXPRESS MAIL CERTIFICATE

Date of Deposit: August 22, 2005

Kathy Paulino
(Name of person mailing paper/fee)

Kathy Pan
(Signature of person mailing paper or fee)

MICR0247-1-1\0247 RCE.doc